



Republic of the Philippines
Department of Social Welfare and Development

IBP Road, Batasan Pambansa Complex, Constitution Hills, Quezon City 1126

Telephone Nos. (623) 931-8101 to 07; Telefax (632) 931-8191

E-mail: osec@dswd.gov.ph

Website: <http://www.dswd.gov.ph>

Administrative Order No. 07
Series of 2015

SUBJECT: DSWD Child Protection Policy in the Workplace

I. BACKGROUND/RATIONALE

It is the policy of the State to protect children from abandonment and all forms of neglect, abuse, and exploitation. This is in adherence to the United Nations-Child Rights Convention. However, cases of violation of child's rights abound although the accurate picture of the seriousness of the situation is difficult to establish because of unreported incidents. The Department of Social Welfare and Development alone served a total of 4,873 abandoned, neglected and abused children in CY 2014 through its residential and community-based services.

Violence against children is present in almost all aspects of child's life: in their home, in school, on the street, at work, in institutions, and in detention. This is what the World Report on Violence against Children by Paulo Sergio indicates. This means that people who are expected to promote the protection of children could be perpetrators of abuse, violence and exploitation. In a national summit held in CY 2012, inter-agency councils and committees for the protection of children acknowledged that this is a reality in the Philippines based on some studies and surveys. To cite one, the survey made by the Child Adolescent Psychiatrist in the Philippines showed that an estimated 500 to 800 child abuses cases in 2006 were committed by teachers and non-teaching staff such as janitors, bus drivers and other workers. A summit declaration was then signed by all agencies, DSWD included, to develop and adopt their respective child protection policy. Taken in this context, the Child Protection Policy (CPP) is one that articulates values and commitment to ensure the protection of children.

In carrying its mandate, the DSWD directly and indirectly works with and for children such as through its residential-based and community-based programs. This necessitates the institution of clear course of actions for its officials and personnel for them to avoid committing harm to a child. Likewise, the DSWD as the Chair of the Council for the Welfare of Children, the Juvenile Justice and Welfare Council and the Inter-Agency Council against Child Pornography should set an example to other agencies in ensuring the protection of children by issuing a Child Protection Policy.

II. Legal Bases

This child protection policy is based on international instrument and national laws primarily the following:

- **The UN Convention on the Rights of the Child.** Articles 12 to 17 of the Convention provides for participation of children and their free expression of thoughts and feelings on all matters affecting them. Articles 19-23 and 32-40 provide for the special protection of children from abuse, exploitation and all forms of violence.

- **The 1987 Philippine Constitution.** Article 11, Section 13 provides that the State recognizes the vital role of youth in nation building and shall promote and protect their physical, moral, intellectual and social well-being. Article 15, Section 3 states that the Government must defend “the right of children to assistance, including proper care and nutrition and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.”
- **The Child and Youth Welfare Code (Presidential Decree 603).** This Code defines the rights and responsibilities of children and the corresponding authority and obligations towards them by their parents, the community, and the government and other duty bearers.
- **Republic Act 7610** or an Act Providing Stronger Deterrence and Special Protection of Children against Child Abuse, Exploitation and Discrimination. Article 1, Section 2, provides that “it shall be the policy of the State to protect and rehabilitate children gravely threatened or endangered by circumstances which affect or will affect their survival and normal development over which they have no control.”
- **Republic Act 9775** or An Act Defining and Penalizing the Crime of Child Pornography, Prescribing Penalties Therefor and for Other Purposes. This Act establishes an Inter-Agency Council against Child Pornography with the Secretary of the DSWD as Chairperson. Section 2 (b) states that the State shall protect every child from all forms of exploitation and abuse including, but not limited to 1) the use of a child in pornographic materials and 2) inducement or coercion of a child to engage or be involved in pornography through whatever means
- **RA 6713** An Act Establishing a Code of Conduct and Ethical Standards for Public Officials and Employees, to uphold the time-honored principle of public service being a public trust, granting incentives and rewards for exemplary service, enumerating prohibited acts and transactions and providing penalties for violations thereof and for other purposes.

III. Coverage/Scope

This Policy covers all officials and personnel of the Department of Social Welfare and Development regardless of their employment status.

IV. Definition of Terms

The following terms are defined for the purpose of this policy.

- Child** - refers to a person below eighteen (18) years of age, or one who is 18 or over but is unable to take care of or protect himself/herself from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.
- Child Abuse-** refers to the maltreatment of a child, whether habitual or not, which includes any of the following:
 - 1) psychological or physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;

- 2) any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;
 - 3) unreasonable deprivation of the child's basic needs for survival, such as food and shelter; or
 - 4) Failure to immediately give medical treatment to an injured child resulting in serious impairment of his or her growth and development or in the child's permanent incapacity or death (Sec. 3 [b], RA 7610).
- c. **Child exploitation** - refers to the use of children for someone else's advantage, gratification or profit often resulting in an unjust, cruel and harmful treatment of the child. These activities disrupt the child's normal physical or mental health, education, moral or social emotional development. It covers situations of manipulation, misuse, abuse, victimization, oppression or ill-treatment.
- d. **Child Pornography** – refers to any representation, whether visual, audio, or written communication thereof, by electronic, mechanical, digital, optical, magnetic or any other means, of a child engaged or involved in real or simulated explicit sexual activities.
- e. **Child Protection Policy** – is an articulation of the commitment of the organization or agency on the promotion and fulfilment of the right of the child to protection as enshrined in the United Nations Convention on the Rights of the Child. It aims to safeguard the child from all forms of abuse, violence and exploitation that may be perpetuated by adults or persons in authority. It expresses the agency's shared values, principles and beliefs.
- f. **Child Protection Committee** – refers to a group that oversees the implementation of this Policy.
- g. **Corporal Punishment** refers to an act or acts which involve physical force and humiliating or degrading acts imposed upon a child as punishment for an alleged or actual offense inflicted by an adult or by another child, who has been given or has assumed authority or responsibility for punishment or discipline. It includes physical, humiliating or degrading forms of punishment such as:
- i) Blows including beating, kicking, slapping, lashing on any part of a child's body, with or without the use of an instrument such as cane, broom, stick, whip or belt;
 - ii) Pulling hair, shaking, twisting joints, cutting or piercing skin, dragging or throwing a child.
 - iii) Forcing a child through the use of power, authority or threats to perform physically painful or damaging acts such as holding a weight or weights for an extended period, kneeling on stones, salt or pebbles.
 - iv) Refusal to provide the child's physical needs
 - v) Use of or exposure to substance that can cause discomfort or threaten the child's health including fire, ice, water, smoke, pepper, alcohol, or dangerous chemicals such as bleach or insecticides, excrement or urine.
 - vi) Tying up of a child
 - vii) Imprisoning of a child
 - viii) Verbal abuse, or assaults including intimidation or threat of bodily harm, swearing or cursing, ridiculing or denigrating the child;

- ix) Making a child look or feel foolish in front of one's peers or the public such as shaving hair and other analogous acts
- h. **Positive Discipline**– is a non-violent, solution-focused, respectful and based on child development principles approach to enabling children learn or develop appropriate thinking and behavior.
- i. **Personnel** – means the permanent, casual, contractual officials and employees of the Department including Memorandum of Agreement and contract of service workers, consultants, on-the-job trainees and others.
- j. **Public Officials** - includes elective and appointive officials and employees, permanent or temporary, whether in the career or non-career service, including military and police personnel, whether or not they receive compensation, regardless of amount

V. Policy Statement and Commitment

Pursuant to the U.N-CRC and the State Policies to treat children with dignity and in a manner consistent with the promotion of their fundamental right to protection from all forms of neglect, cruelty and other conditions prejudicial to their development, the Department of Social Welfare and Development declares/affirms to:

1. Give paramount consideration to child's best interest in any programs, projects and activities that directly and indirectly affect them and in all scenarios which require the special protection of children.
2. Create a safe and enabling environment for children regardless of their gender preference, religious beliefs and practices, culture, socio-economic status and physical and mental condition through the institutionalization of child participation and the use of positive and non-violent discipline in residential care facilities for children.
3. Maintain an exemplary reputation through a hiring and promotion process that favors individuals without any record of child neglect, abandonment, exploitation and violence; by not tolerating any unacceptable acts towards children by its officials and personnel committed during and beyond working hours; and by transacting business only with providers of goods and services that do not violate children's rights.¹
4. Deliver services with utmost flexibility and high degree of consideration to children beneficiaries in order to respond to their needs promptly.
5. Ensure that children who are under the Department's programs and services shall not be used as respondents or subjects in research activities unless their participation is the only means to study and understand a phenomenon being researched. Should a child be

¹ Providers of goods and services shall be required to fill up CP Form 3 as attachment to contract with DSWD

involved in a research or any form of data gathering, the DSWD shall see to it that utmost care is given to him/her.

6. Ensure a reasonable period of deployment of staff members in disaster-stricken areas to guarantee that they do not become emotionally and physically worn out and incapable of dealing appropriately with survivors especially children.

VI. Code of Conduct to Ensure Protection of Children

The Department sets the following rules for all its officials and personnel:

1. Provide necessary assistance to children beneficiaries without requiring any favors for the official or staff member's personal gain or advantage.
2. Work with, engage, involve or utilize services only of individuals or business entities that do not have any involvement in child abuse, sexual harassment, exploitation, child pornography and violence.
3. Never be involved in a romantic relationship with a minor.
4. Take immediate action upon learning of or witnessing any unacceptable acts or behavior toward children which occurred within or outside the vicinity of DSWD offices including centers and residential care facilities.
5. Treat a child, whether a beneficiary or a child of a staff member, with respect and never allow behavior that will result in any physical, sexual, emotional or psychological harm.
6. Be considerate to children of staff members who, for various acceptable reasons, need to stay with their parents in the office for a short or limited period.
7. Do not participate in any acts involving child abuse, discrimination against children, child exploitation, violence against children, corporal punishment and any analogous or similar acts.

In addition, staff members engaged in frontline services shall observe the following decorum:

Residential Care Facilities

1. Always involve children in matters that affect them according to their evolving capacities.
2. Use a positive discipline approach and never use corporal punishment.
3. Never force children to participate in activities or perform acts which are against their religious beliefs and practices.
4. Never engage children in sexually-provocative performance or presentations.
5. Never require a child to render or perform tasks which are beyond his/her ability due to age and physical built.
6. Never expose children to violent video games and shows and pornographic materials either in printed or electronic form or introduce them to obscene websites.
7. Never allow visitors, service providers, interns, volunteers, and visiting researchers to treat children inappropriately or in a manner that may be damaging to them.
8. Ensure that media guidelines in the conduct of interviews with children victims of abuse and exploitation and whose cases are being managed by the Department are complied with.

9. In the conduct of interviews, utmost care must be observed to avoid words and terms that may offend or harm a child.
10. Take immediate appropriate action on any incident of bullying. The staff shall make an incident report to the Head Social Worker/Center Head, inform the parents of the child, and call for a case conference if necessary to determine critical actions to take. If the case falls under the coverage of Republic Act 9344 as amended, the social worker in-charge shall ensure that procedure applicable to cases of children in conflict with the law is followed.

Crisis Intervention Units

1. Prioritize children seeking assistance.
2. Immediately take necessary actions when a child is being harassed or treated inappropriately by other clients or if there is an indication that a child is being used to facilitate approval of request for assistance.
3. Avoid subjecting a child to unnecessary and possibly frightening interviews to validate any suspicion of misrepresentation of a family member who is seeking for financial assistance.

Evacuation Center/Camps

1. Prioritize the needs of children during disasters or in any situations in which resources are scarce.
2. Ensure that volunteers, media people and service providers from other organizations act in accordance with the principle of child's best interest.
3. Ensure that no photograph of children in dehumanizing condition is taken and used for fund raising purposes by individual volunteers and donors.

Day Care and Child Minding Center operated by the Department serving children of employees and of families in the community

1. Avoid making any comparisons between and among children in terms of their social and cognitive abilities.
2. Do not force any child to participate in any religious or other activities without the consent of their parents or guardians.
3. Never use harsh words and actions to children displaying difficult behavior.
4. Never engage children in sexually-provocative performance or presentations.
5. Never expose children to violent video games and shows and pornographic materials either in printed or electronic form or introduce them to obscene web sites.
6. Never allow parents, guardians or any person accompanying a child to deal inappropriately with other beneficiaries or to institute fights between and among children in the center.

VII. Implementing Mechanism

1. All necessary guidelines to ensure adherence to this organizational child protection policy shall be developed or integrated into existing guidelines by concerned offices.
2. The Child Protection Policy shall be disseminated to all OBSUs, Field Offices and residential care facilities. A printed copy of the Child Protection Policy Statements and Commitments and Code of

Conduct shall also be posted on conspicuous areas in all DSWD offices, residential care facilities and websites.

3. The HRDB and its counterpart in the Field Office shall include CPP in the orientation of newly-hired employees and require all officials and personnel (newly-hired or otherwise) to sign a Statement of Commitment (CP Form 1) which shall form part of their personnel file.
4. A Child Protection Committee shall be established in the Central and Field Offices and a sub-committee in every residential care facility for children.

Composition	DSWD Central Office	DSWD Field Office	Residential Care Facility (Sub-Committee)
Chairperson	HRDB Director	Assistant Regional Director for Administration	Supervising Social Worker
Vice Chairperson	Legal Service Director	Division Chief, Programs and Operations Division	Head Houseparent
Members	<ol style="list-style-type: none"> 1. Protective Services Bureau Director 2. Pantawid Pamilya Pilipino Program Director 3. SWEAP Representative 	<ol style="list-style-type: none"> 1. Head, Human Resource Unit 2. Regional Project Coordinator 3. Head, Protective Services Unit 4. SWEAP Representative 	<ol style="list-style-type: none"> 1. Houseparent 2. Social Worker 3. Psychologist 4. Center Monitor
Secretariat	Personnel Administrative Division	Personnel Unit	Admin Unit

A Special Order shall be issued to effect the assignment of those who will comprise the Committee.

The CPC in the Central Office is expected to:

- Ensure that all necessary implementing guidelines are developed by the concerned offices.
- Make an initial assessment and recommendation on alleged abuse and exploitation of children by any official or staff member from every Office, Bureau, Service and Unit in the Central Office. It shall come up with an incident report (CP Form 2) and forward it to appropriate office or committee for further investigation and appropriate action.
- Institute a system for monitoring of officials and staff members' adherence to the code of conduct.

CPC in Field Offices shall:

- Ensure compliance of the Field Office to guidelines in relation to child protection and to institute a system of monitoring of official and staff members' adherence to the code of conduct on child protection.
- Ensure that all employees are oriented on the Child Protection Policy.

- Make an initial assessment and recommendation on alleged child abuse and exploitation by any official or staff member based in the field office, residential care facility and community and forward its report to appropriate committee for further investigation and appropriate action.
- Conduct a quarterly monitoring to residential care facilities being managed by the field office focused on ensuring that child participation is exercised in residential care facilities, incident of child abuse and exploitation perpetrated by staff of residential care facilities are acted upon and necessary assistance to staff needing help along anger management is provided.

Sub-CPC in every Residential Care Facility for Children shall:

- Ensure that residential care facility staff adheres to the code of conduct on child protection.
- Ensure that every staff member is oriented on positive and non-violent discipline.
- Ensure that residential care facility staff members undergo assessment of their ability to manage anger and to come up with necessary intervention for those assessed to be needing assistance on this area.

VIII. Effectivity

This Administrative Order shall take effect immediately upon the date of issuance.

Issued in Quezon City this 25th day of May 2015.


CORAZON JULIANO-SOLIMAN
Secretary

(CP Form 1)

Statement of Commitment to the DSWD's Child Protection Policy

I, _____, have read and understood the Child Protection Policy of the Department of Social Welfare and Development. I agree to conduct myself in accordance to the Policy.

Further, I declare under oath that I was never convicted nor alleged of any offenses against a child.

(Print Name and Signature)

(Position)

(Date)

(CP Form 2)

Incident/Accident Report Form

Brief description of the incident to include the act committed as well as the place and date it happened.

Staff involved: _____

Immediate Action/s Taken

Follow up action required/recommended

Prepared by:

(Printed Name and Signature)

(Position and Office)

(Contact Number)

(CP Form 3)

Statement of Commitment to the DSWD's Child Protection Policy

I, _____, have read and understood the Child Protection Policy of the Department of Social Welfare and Development. I agree to conduct myself in accordance to the Policy.

Further, I declare under oath that I and/or the organization that I represent are/is not involved in any activities that exploit children or allow their abuse and exploitation in the process of producing and delivering goods and services for the DSWD or other clients.

(Print Name and Signature)

(Name of Organization)

(Date)